

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

MONSANTO COMPANY,)	
)	
Plaintiff,)	
)	Case No. 4:17-cv 02525-CDP
v.)	
)	
BOERSEN FARMS, INC.,)	
)	
Defendant.)	

PLAINTIFF MONSANTO COMPANY'S MOTION FOR ENTRY OF DEFAULT

Plaintiff Monsanto Company ("Plaintiff" or "Monsanto"), by and through its undersigned counsel, and pursuant to Rule 55(a) of the Federal Rules of Civil Procedure, hereby requests that the Clerk of the United States District Court for the Eastern District of Missouri ("Clerk of Court") enter a default on behalf of Monsanto and against Defendant Boersen Farms, Inc. ("Defendant" or "Boersen"). Defendant was personally served with the original Complaint on November 16, 2017, as evidenced by the Return of Service of Summons and Affidavit of Service (Docket Nos. 6 and 6-1), and Defendant was also served with the First Amended Complaint on December 28, 2017 via U.S. Mail and Federal Express pursuant to Fed. R. Civ. P. 5(b)(2). More than twenty-one (21) days have passed since Defendant was served with both the original Complaint and the First Amended Complaint. Defendant has failed to appear or file a responsive pleading to either complaint in violation of Fed. R. Civ. P. 12. Consequently, Defendant has defaulted twice in this action and an entry of default should be made by the Clerk of Court. In support of its Motion, Monsanto relies on the Memorandum in Support of Motion for Entry of Default filed contemporaneously herewith.

WHEREFORE, Monsanto Company respectfully requests that the Clerk of Court enter the proposed Certificate of Entry of Default.

Dated: January 19, 2018

Respectfully submitted,

HUSCH BLACKWELL LLP

By: /s/ Matthew R. Grant

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Attorneys for Plaintiff Monsanto Company

CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that the foregoing was filed with the Court via the Court's CM/ECF System this 19th day of January, 2018 and was served via U.S. mail upon the following:

Dennis Boersen
6241 Ransom St.
Zeeland, MI 49464

/s/ Matthew R. Grant